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Attorneys for Defendants PEERLESS INSURANCE COMPANY, LIBERTY MUTUAL
FIRE INSURANCE COMPANY and GOLDEN EAGLE INSURANCE
CORPORATION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SHAW MORTGAGE
CORPORATION dba
PATIOSOURCE & THE NATURAL
TOUCH, a California Corporation

Plaintiffs,

v.

PEERLESS INSURANCE
COMPANY, a New Hampshire
Company; GOLDEN EAGLE
INSURANCE CORPORATION, a
California Corporation; LIBERTY
MUTUAL INSURANCE COMPANY,
a Massachusetts Company; and DOES
1 – 20, inclusive,

Defendants.

CASE NO.: 08 CV 0709 BTM AJB

SDSC Case No. 37-2007-00084451-CU-BC-
CTL

**DECLARATION OF DALE A. AMATO
IN SUPPORT OF MOTION TO DROP
GOLDEN EAGLE INSURANCE
CORPORATION AS A SHAM
DEFENDANT**

**[Per Chambers, no oral argument unless
requested by the Court.]**

**DATE: 6-6-08
TIME: 11:00 a.m.
COURTROOM: 15**

Date Complaint Filed: 12/21/2007

I, DALE A. AMATO, hereby declare as follows:

1. I am an attorney admitted to practice in this court, and I am a partner with the Berger Kahn law firm, legal counsel of record for Defendants Peerless Insurance Company, Golden Eagle Insurance Corporation and Liberty Mutual Insurance Company in the above-entitled matter. If called to testify in this matter, I could and would testify competently to the following facts, which are within my personal knowledge.

2. On December 21, 2007, SMC filed its Complaint in the San Diego Superior Court. On February 28, 2008, SMC filed its First Amended Complaint. A true and correct copy of Shaw Mortgage Corporation's First Amended Complaint is attached as Exhibit "1" to this declaration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

s/Dale A. Amato
Declarant
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